

1 UNITED STATES
2 DEPARTMENT OF THE INTERIOR
3 BUREAU OF RECLAMATION
4 Central Valley Project, California

5 INTERIM RENEWAL CONTRACT BETWEEN THE UNITED STATES
6 AND
7 WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 1
8 PROVIDING FOR PROJECT WATER SERVICE

9 THIS CONTRACT, made this _____ day of _____, 2012,
10 in pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or
11 supplementary thereto, including, but not limited to, the acts of August 26, 1937 (50 Stat. 844),
12 as amended and supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented,
13 July 2, 1956 (70 Stat. 483), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263), as
14 amended, and Title XXXIV of the Act of October 30, 1992 (106 Stat. 4706), all collectively
15 hereinafter referred to as Federal Reclamation law, between the UNITED STATES OF
16 AMERICA, hereinafter referred to as the United States, and WESTLANDS WATER DISTRICT
17 DISTRIBUTION DISTRICT NO. 1, hereinafter referred to as the Contractor, a public agency of
18 the State of California, duly organized, existing, and acting pursuant to the laws thereof;

19 WITNESSETH, That:

20 EXPLANATORY RECITALS

21 WHEREAS, the United States and the Broadview Water District (Broadview)
22 entered into interim renewal Contract (long-form interim renewal contract)
23 No. 14-06-200-8092-IR1 which provided for the continued water service to Broadview
24 following expiration of Contract No. 14-06-200-8092; and

25 WHEREAS, the last long-form interim renewal contract between the United
26 States and Broadview is Contract No. 14-06-200-8092-IR5, hereinafter referred to as IR5; and

27 WHEREAS, the United States and Broadview entered into successive renewals of
28 IR5, of which the last was Contract No. 14-06-200-8092-IR9, hereinafter referred to as IR9; and

29 WHEREAS, on March 1, 2007, the Contractor, Broadview, and the United
30 States executed an assignment agreement, “Assignment of Broadview Water District’s Water
31 Service Contract to Westlands Water District Distribution District No. 1”, which assigned to
32 the Contractor all rights, duties, and obligations of Broadview in IR9; and

33 WHEREAS, the United States and the Contractor entered into the first interim
34 renewal contract identified as Contract No.14-06-200-8092-IR10, hereafter referred to as
35 IR10; and

36 WHEREAS, the United States and the Contractor have entered into successive
37 renewals of IR10, the most recent of which is Contract No.14-06-200-8092-IR12, hereinafter
38 referred to as IR12, effective March 1, 2010, through February 29, 2012; and

39 WHEREAS, the United States and the Contractor have made significant progress
40 in their negotiations of a long-term renewal contract, believe that further negotiations on the
41 long-term renewal contract would be beneficial, and mutually commit to continue to negotiate to
42 seek to reach agreement, but anticipate that the environmental documentation necessary for
43 execution of any long-term renewal contract may be delayed for reasons beyond the control of
44 the parties; and

45 WHEREAS, the Contractor has requested a subsequent interim renewal contract
46 pursuant to IR12; and

47 WHEREAS, the United States has determined that the Contractor has to date
48 fulfilled all of its obligations under IR12; and

49 WHEREAS, the United States is willing to renew IR12 pursuant to the terms and
50 conditions set forth below; and

51 NOW, THEREFORE, in consideration of the mutual and dependent covenants
52 herein contained, it is hereby mutually agreed by the parties hereto as follows:

53 RENEWAL AND REVISION OF
54 CONTRACT NO. 14-06-200-8092-IR12

55 1. Except as specifically modified by this Contract, all provisions of IR12 are
56 renewed with the same force and effect as if they were included in full text with the exception of
57 Article 1 of IR12 thereof, which is revised as follows:

58 (a) The first sentence in subdivision (a) of Article 1 of IR12 is replaced with
59 the following language: “This Contract shall be effective from March 1, 2012, and shall remain
60 in effect through February 28, 2014, and thereafter will be renewed as described in Article 2 of
61 IR5 if a long-term renewal contract has not been executed with an effective commencement date
62 of March 1, 2014.”

63 (b) Subdivision (b) of Article 1 of IR12 is amended by deleting the date
64 “February 29, 2012,” and replacing same with the date “February 28, 2014.”

